

Comments on proposed rules for the Charter Commission

Section 2.1.3 calls for an automatic cancellation of a meeting if after 30 minutes a quorum has not appeared.

Problem: rules that compel a result should be carefully scrutinized. Suppose 15 minutes after a meeting is scheduled the Commission is one member short of a quorum. Another member calls in saying he/she has been delayed in traffic but expects to be there in the next 10 or 15 minutes. The others wait patiently and the delayed member finally arrives 20 minutes later. Under this rule the meeting cannot go forward, because when 30 minutes has elapsed the meeting is automatically cancelled.

Suggestion: Substitute the following: "If no quorum is present thirty minutes after the scheduled time of the meeting, a majority of those present may cancel the meeting."

Section 5.1 requires that the Commission have at least 3 days notice of a proposed change to the Charter before taking up the proposal. On occasion the Commission might find reason to overlook the 3 day requirement but under this language may be disabled from discussing the proposal. I suggest that the first sentence read: "The Commission may defer consideration of a proposal to change the Minneapolis Charter that is not filed with the Charter Commission Coordinator at least three business days prior to the scheduled meeting."

The next sentence is unclear. It says that the "Commission will discuss the request at its next scheduled meeting..." Which meeting is the "next scheduled meeting"? The meeting following the 3 business days notice? Or the next following meeting?

I propose that the sentence read "The Commission will discuss the request at the first meeting after the notice is filed or at the next scheduled meeting."

Sections 5.4, 7.1 and 8.1 are not consistent. Section 5.4 calls for six commissioners to sign a proposed amendment, while Section 7.1 calls for signing by "a sufficient number of the Commissioners voting in favor...to constitute a majority needed for passage." Section 8.1 appears to follow the language of Section 7.1

Unless there is a legal reason for the different requirements, they should be made the same.

Section 8.1 does not appear to fully conform to Minnesota Statutes Section 412. Subd 1 which reads in part

The summary, together with a copy of the proposed amendment, shall first be submitted to the charter commission for its approval as to form and substance. The commission shall within ten days after such submission to it, return the same to the proposers of the amendment with such modifications in statement as it may deem necessary in order that the summary may fairly comply with the requirements above set forth.

Our proposed rule Section 8.1 calls for a meeting of the Commission to be held within ten days to approve the amendment and summary. But Section 8.1 then goes on to provide that 20 days may elapse before the summary is reviewed and revised. This inconsistency needs to be looked at by the City Attorney.
